

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORCA SECURITY LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 23-758 (JLH)
)	
WIZ, INC.,)	
)	
Defendant.)	

**ORCA SECURITY LTD.’S MOTION TO DISMISS WIZ, INC.’S COUNTERCLAIM
COUNT IV UNDER FED. R. CIV. P. 12(b)(6)**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Plaintiff and Counterclaim-Defendant Orca Security Ltd. (“Orca”) moves to dismiss Defendant and Counterclaim-Plaintiff Wiz, Inc.’s (“Wiz”) Counterclaim Count IV for failure to state a claim upon which relief may be granted because U.S. Patent No. 12,001,549 fails to recite patent-eligible subject matter under 35 U.S.C. § 101.

The grounds for this motion are set forth in Orca’s Opening Brief, submitted herewith.

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July 25, 2024

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FOR THE DISTRICT OF DELAWARE

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WIZ, INC.,)	
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PROPOSED ORDER

Having considered Plaintiff and Counterclaim-Defendant Orca Security Ltd.’s Motion to Dismiss Defendant and Counterclaim-Plaintiff Wiz, Inc.’s Counterclaim Count IV Under Fed. R. Civ. P. 12(b)(6) (the “Motion”) and any opposition thereto,

IT IS HEREBY ORDERED this _____ day of _____, 2024, that the Motion is GRANTED, and Defendant and Counterclaim-Plaintiff’s Counterclaim Count IV is dismissed with prejudice.

Hon. Jennifer Hall
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on July 25, 2024, upon the following in the manner indicated:

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